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MINUTES OF THE COUNCIL AND GENERAL COURT 1622-1629*.

From the Originals in the Library of Congress.

(CONTINUED.)

*All erasures in the originals are here printed in italics.

[ink folio 118.]
After wch Mrs Blany mis caried

She further sayeth *yt after these words yt*
shee knoweth Mrs Blayny miscaried, Butt
whether it were before or after she doth
not know, neyther could she perceave any
alteration in Mrs Blany vppon those speeches
betwen them.
Richard Townsend(1) sworne and examd' sayeth, y^t, doctor
Pott his M^r sent by him A peece of hogs Fleshe
to Capt' Powell, wch this Examt did carye
and when he cam to Capt Powells house, and
acquainted him y^t his M^r had sent him, A peece of
hogs Flesh (Capt' Powell told this Examt'
y^t hee would not looke vppon it, and soe went
away, *also* And further, he sayeth y^t doctor
Pott his Mr Apoynted his People to kill
such hogs as trespassed him in his Corne, and
ther vppon at severall tymes they kild fower
hogs wch were spent in his M^r house, but

(1) Richard Townshend, who was born in 1606 or 1607 came to Virginia in 1620 as a medical apprentice to Dr. Pott. There is on record a petition in which he complains of the Doctor not carrying out his contract to teach him physic and surgery. He was afterwards a member of the House of Burgesses and Council, acquired a large landed estate and has many descendants. See this Magazine IX, 173, 174; XI, 146; XXII, 313, 314.

whose hogs they were, he knoweth nott) and
sayeth y^{t} one of them was A large hogg but very
leane, and y^{t} the other thre were younge sh'oults.

Christopher Hawle sworne and examined sayeth, that
beinge in the grounde about the tobacco, there
cam A sandy colored sowe into the grounde
neere vnto him, and sayeth y^{t} doctor Pott, bid
him shoote her, but this examt' said hee
wold nott, doctor Pott replide and saide
kill her and I will beare thee owt int) And
further sayeth y^{t} the next morninge he cam into
Doctor Potts howse and did see A hogg
then Cuttinge out, but who kild it he doth
not know, or whose it was he knoweth nott

And further sayeth y^{t} there were fower hogs kild and
spent in Doctor Potts, howse but whose they were
he doth not knowe.

[ink folio 119.]

And further sayeth y^{t} there was great spoyle made
in Doctor Potts, Corne by hogs and Catle
he havinge planted a dozen acres or there about
but whose hogs or Cattle they were he knoweth
not (more then one sandy Colored sowe w^{ch}
was Capt' Powells.

Robert Fitt sworne and examed sayeth, y^{t} beinge at
good wief Carters, Christopher Haule told them that
A great sandy colored sow cropp earde of Capt'
Powells wch was kild by Doctor Potts apointmt
and drest at his howse.

Thomas lester sworne and Examed sayeth that
by the appoyntmt' of Doctor Pott his M^{r} there
were fower hogs kild, whereof two of them

had both the eares Cropt and the further
eare slitt, the third was Cropt one ye further
eare the neere eare whole, the fowerth hog
he did nott dresse and therefore doth not know
the marke, but those whose hogs were
this Examite doth not know, And further
sayeth that Doctor Pott his M^{r} sent him
to Capt' Powell and to tell him w^{t} greate
hurte his hogs had done him in his Corne
Who answered this examt yf your M^{r} his
Fences be sufficyent I se no remedy but
he may kill them.
Thomas Cross sworn and Examd' sayeth, that
there was A white sow kilde and dreste
in Doctor Potte house and y^{t} by ye apoyntmt
of Doctor Pott his M^{r} he did helpe to feach
her whom but sayeth that he hard some
of his fellows say it was Capt' Powells
sow But for him self he knoweth not
whose sow it was

[ink folio 120.]

Yt is the opinion of the Courte y^{t} it is no slander
y^{t} Mrs Blayny Chargeth Doctor Pott wth
denying her a peece of Flesh, wherevppon shee
miscaried, because she hath taken her oath that
she thinketh in her Conscyenc that it was the
occasion of her miscaryinge, but it no way
appereth, and it is barbarows to Inquire, that
he had any conceipt she had A longing to it
but thought it was spent by his wiefe.

And for ye hogs wose [sic] ever they were, the Courte
conceveth that there is no damage dew from
Doctor Pott to the owner of the hog because
the spoyle they did in his Corne, was as great
as the valew of the hogs or greater

withowt a legall
But his killinge and eatinge of them *and not* order
makinge knowne theire markes was irreguler
and Lyable to Censure, yet it apperes to be
Publiqly done, and y^{t} he gave notice
to his men to remember ye markes.

William Moth sworne and Examined sayeth y^{t} William
Cobb who had maryed one of ye maides y^{t} cam over
for ye Compeny (named Elizabeth Dogg) the saide
Wm Cobb beinge to goe fourth vppon A tradinge
vioage (made his will And delivered the same, and
three other bills of dept dew vnto him vnto This
examt' shortly after Mr John Powntis sent
to this deponent for the said will and Bills
of dept for y^{t} he was to receave ye saide
depts for Satisfactione for the Passage of
the said Elizabeth Dogg, which will & bills
of dept this deponent sent to Mr Powntis
by Richard Peerce

Richard Peerce sworne and examd' sayeth y^{t} hee
delivered those wrightings he receaved of William
Mutch to Mr John Powntis and more he
can not saye

[Page 121 is blank]

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[122]

A Court held ye xxiiith of May 1625 beinge
present Sr: Francis Wyatt knight Gou^{r}nor &c
Capt Francis West Sr: George Yardley knight
George Sandys Threar Capt Roger Smith
Capt Raphe Hamer Capt Samell Mathews, Capt Martin
Abraham Persey Esquire Mr Wm Cleybourne Surveyor.

John Smith sworne & examt affirmeth y^{t} Monsir Bewmount his
M^{r} sent this Examat and another of his men
ashore, they beinge abourd ye shipp at the downes
to seeke for some servantes, wher they
mett wth one y^{t} was willinge to goe wth
them, beinge a Baker, and soe they went
to Dover, where Mr Rayner sent his
boate to feach them abourde. But wold
nott receave the said Baker nor suffer
him to come aboarde, (this Mr Reyner
him selfe affirmeth) And further this
Examinat' sayeth y^{t} he and his fellow servant
beinge at deale, at one good *man* wiefe Powells who
kept an Alehouse this examt asked the
said Baker whether he did not belonge
to ye King's shipp (who answered noe)
And he saide good *man* wiefe Powell affirmed also
that the said baker was not of the Kings
Shipps Company, but said y^{t} he had been, but
now he was free, And some y^{t} were of the
Kings shipp being then in place, said he was
Free from the Kings ship.

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[123]

Symon Armested sworne and Examd. sayeth
that Mr. Wealch said in the hearinge of
divers of the ships Company & passengers
That w^{t} he did, His M^{r} wold allow of
wher vppon he Turned away one called
Bleede Eyes And Mounsier Bewmount
gave his maide *the same Mr Welch* an Accquittance
that he wold not Trohle hir *for ye rode*
And ther vppon Mr Welch discharged y^{r}
said Bleard eys. And tooke the maide
And further sayeth y^{t} he hard Mounsier
Beamount demande the maide agane of

Mr. Rayner, but w^{t} answer Mr. Rayner made (he knoweth nott) wch demand was made after they were at sea.

John Buncher sworne and Examined sayeth that Mounsier Bewmount did tourne fower maides ashore, ye shipp, then Ridinge at Ratcliffe Crosse, And y^{t} Mounsier *Bea* Bewmount did discharge another of his maides called Ann at Gravesend and sent her ashore, giving her a relese vnder his hande.

Yt is ordered that Mr Rayner shall have the benefitte of the maide, Allowinge Monsier Beamount for her Passage.

And y^{t} *Mr. Rayner is to make g* there shalbe deducted owt of the fraight of mounsier Beumont's goods soe much in lewe of A man of Mounsier Beamonnts, wch Mr Reayners men refused to take aboute (as tenn pownd in money)

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[124]

Yt is ordered y^{t} Monsier Bewmount shall enter in good bonde wth sufficyent securitie to Paye Mr Rayner for ye remander of his fraight the quantety of five hundred and twenty waight of the best mar^{c}hantable Tobacco in leafe stript half ye stalke at o^{r} before ye first of november next Ensuinge at James Cyttie, And generall releases to be made by both p'ties either to other, wch order was made wth the Consenc of both p ties

the Consent of both pties

Henry Brodfull sworne and Examined sayeth
that, About thre yeeres since Robert Partine (2) did
shew this Examate A Cow calfe in James Cyttie
Ilande, wch he said was his, and ye saide
calfe at that Tyme was vneare markt, And
this Examt' sayeth y^{t} the Cow now Chalenged
by Robert Partine is the same wch cow
hath been lately markt by John Elisone
for the Gouerno^{r} not beinge knowne whose
it was and Proclamatione made in ye Churche
that yf Any could instly lay clayme to her
showld have her.

Robert Partine sworne and examed sayeth y^{t} ye calf
wch he did shew to Henry Brodfull, was A
calfe of A Cowe wch was Mr Bagwells, and
that H*enry Br* This Exat supposed it had beene
dead, but *comnge* comnge downe lately to James
Cyttie, Henry Brodfull told him y^{t} his cowe
was the same calfe, havinge now a Calfe
by her side.

[ink folio 125.]

Partine

Yt is ordered y^{t} Robert Partine shall have the said cowe
and Calfe, Provided that yf any shall iustlye
prove the said Cow and calfe to be theirs y^{t}
then Robert Partin shalbe answerable for
the said Cow and calfe and the encrease that
shall come of them to the right owner.

(2) In the Census of 1624-5 appears the "Muster" of Robert Partin, at West and Shirley Hundred. It included himself, aged 36, who had come in the **Blessing** in June 1609, his wife Margaret aged 36, who came in the **George** in 1617, their three children, Avis, Rebecca and Robert, aged respectively 5 years, 2 years, and 4 months, and two servants.

Yt is the ioynte opinione of the Courte, y^{t} it is
most Convenient for Mr Carles to seat him self
and his People at martins hundred, because
that place hath beene recomended vnto him by
the Commissioners and Adventurers.

Livt Thomas Osbourne(3) sworne and Examd sayeth
that such p'visions and goodes as cam over
in the Furtherance for the East Indye scoole(4)
never cam to the hands of Mr Threar'
but that they were by Leonard Husone and
caried over the water to *this Examinats plant'*
Mr Evans his Plantacon where This examint'
and the Colege men then lyved And that
about february followinge this Exat' caried
vp wth him those of them wch remayned alive
beinge these three (John Wild(5), Godfrey dixsie
and William Dalbee, the rest beinge dead

And of those John Wilde and Godfrey Dixsie
died the summer followinge at the Colledge

Thomas Marlatt gent sworne and Exam'd the first
Daye of June 1625 before the gouernor
and Mr Threar affiometh as much as Livt
Osborne hath saide, and more he cannot
saye

(3) Lieutenant, afterwards Captain Thomas Osborne came to Virginia in November 1616 and settled at Coxendale in the present Chesterfield County about 1625. In 1627 he was commander of one of the forces which attacked the Indians. He was a member of the House of Burgesses and had many descendants of his name in Chesterfield, Amelia &c. See this Magazine IV, 247-248.

(4) In 1619 Rev. Patrick Copland, Chaplain of an English fleet in the East Indies, collected a sum of money to be devoted to the cause of education in Virginia. In 1621 this was given to the Virginia Company, and with other subscriptions added to it, the Company decided to found a school at Charles City in Virginia to be called the East India School. "Charles City" was the present City Point. See Brown's **First Republic In America** 441-443, and the address by Capt W Gordon McCabe, on the attempted college, and the school, recently published by the Colonial Dames of Virginia.

(5) William Dalby age 28, who came in the **Furtherance** in 1622 was a servant of Capt. Samuel Matthews in James City Co. 1625. "The College" was at the present Dutch Gap.

[ink folio 126.]

Nathaniell Cawsey doth assume in Courte to paye
to Doctor Pott as A dept dew from Mr Chew
one barrel of Indyan Corne and to deliver
the same at James Cyttie at the first Comingc
Downe of the next boate.
And that Mr Chew shall paye to Doctor Pott
five barrells of Indyan Corne wthin twenty
eight dyes next after ye date of this order.

Maurice Thomosone *and Giles Brent* sworne (6)
and Examined, affirmeth that ye booke of accompt
produced in Courte by Mr James Carter
was the trew booke of Accompt of M^{r}
Robert Bennett(7) and p fected by his
owne handes.

Gyles Brent sworne and Examed doth
affirme the same in effect.

Yt is ordered y^{t} Me Hugh Crouther(8) and
Mr Thomas Swyft shall prayse the
goodes of Capt' Wm Nortone deceased
and to present A trew Inventory
therof *one* to ye Gouerno^{r} and Counsell
one mundye the thurteth of may now
next ensuinge.

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(6) If this was Giles Brent who afterwards emigrated from England to Maryland in 1637 he must have been quite a young man.

(7) Robert Bennett, is stated, on what authority is not known, to have been a brother of Edward Bennett, merchant, of London. He died at James City in 1622-3. Another Robt. Bennett, a servant, was living after that date.

(8) At the Census of 1624-5, "Mr. Hugh Crowder," who came in the **Bona Nova** in 1619, was living at his plantation in James City Co., with five servants. Capt. Wm. Norton had been the superintendent of the glass-works. Thomas Swift, a freeman, who came in the **Tyger** in 1622 lived at George Sandys plantation 1624-5.

[ink folio 127.]

Mrs Peryue Taberlen sworne and exam'd
sayeth that about the latter end of August
1622 Capt' John Clever died over
the water at Mr Trear Plantation, &
that this Examt' laid him owt after
he was dead.

Mr Vencentia Castine affirmeth asmuch

Mr John Bates(9) sworne and examd
sayeth y^{t} about November last was twells
moneth Sr George Yardley paid to M^{r}
Jo: Chew Edwa: Brent and Nicholes
Skinner tenn butts of Tobacco for
the vse of Mr Edward Bennett(10) of london
matchant, the wch Tonacco when it
cam downe to James towne M^{r}
Weller ye M^{r} of ye Addam desired Mr Chew
and This examt' to goe abourd & to
vew the Tobacco (ye reason was for y^{t}
Mr Chew was not at the recevinge of
all the Tobacco him self, wher vppon
they went and vewed it) Mr Brent
and Lawrenc Rogers beinge there likewyse
The Tobacco was disliked, wher vppon
Brennt *some of Those* said y^{t} yf ye shipp might
have a quick passage, wherevppon
Mr Chew said y^{t} yf it were not found
M^{r}'chantable by indifferent men, Sr Georg
willed them to bringe it ashore *he* if
it were not fownd merchantable

(9) At the Census of 1624-5, John Bates, who came in the **Southampton** in 1623 was one of Abraham Persey's servants at Persey's Hundred, and John Bates, who came in the **Adam** in 1621 was one of Edward Bennett's servants at Wariscozack. The latter is evidently the one referred to.

(10) Edward Bennett, merchant of London, and member of the Virginia Company. See this Magazine III, 53, 54.

[ink folio 128.]

by indyfferent men it should be burnt
and others paide in the roome. And
ther vppon it was packt vp againe into
the butts, and Stowed into the hold
to be sente into Englande.

Capt' William Peerce sworne & examined
sayeth y^{t} Capt John Martin beinge one
Eveninge at this Examnte house, They

dyninge *chamber* haule
beinge in his *Chamber* where this
Examt' boy was, Capt Martin requested
this examt to Comand. his boy owt of ye roome
and the boy beinge gone) Capt' Martin asked
him why Edwarde Sharples was sett one the
Pillorye, And whether he was sett there by
the generall Assembly (vnto wch This examina't
saide noe he was not) but that he was
apoynted to that place by the Gouernor & Counsell
Then Capt' Martin replied (I hope to see some
of them sitt there them selves shortly—And
doupted not but some of them would wish his
eares one againe shortlye) And caused this
Examt to geve him his hand not to reveale
w^{t} he had said vnto him) And further
this Examt sayeth y^{t} Capt Martyn said that
he had vnloosed *some of* the Company and
putt them by their seates.

(reverse is no. 130, 129 non existent.)

[ink folio 130.]

John Price sworne and Examnd sayeth
that vppon sondye last was fortnight
he put in at perries *went* over ye water *to* where Capt Jo: Martin
was,
and beinge in table wth him, Capt Martin
discoursed of his vioadge into Canada, and
told this Exat' he was betrayed into Canada
so heerd
hopinge y^t he should never have come hither,
and further told this Examt' y^t he was
to be shott) This Exa't asked him should
you have been shott at Canada) wher vpon
Capt Martin clapt his hand vppon his
brest and said (noe) since he came
into the Colony) Them this Examinate
asked him by whom) to whom Capt Martin
replied and said y^t was no matter and
that is all he can saye.

Mrs Elizabeth Hamer, sworne & Examined,
sayeth y^t Capt Martin told her that
beinge in london and goinge through new
gate market Some other gentlemen
beinge wth him, Martha Sysmoure(11)
cam vnto him and tooke acquaintance
of him, The gentl that were wth him
asked him is this one of you^r Virginia
w * * * *) Capt Martin asked them, why,
they said because she ran so often
tymes into Englande from Virginia
and more she canot saye.

And after this at another tyme Capt' Martyn
cam to this Exam't and told her y^t some

(11) Wm. and Martha Sisemore were living at West and Shirley Hundred Feb. 1623. There is nothing in any record to indicate she was not an entirely reputable woman.

body had reported to Martha Sysmore
yt he said she was a w * * * * to who
this examinate answered, no) you did not say
soe) but you saide y^{t} some ells did say
(sic) say soe to you wch he confest to be
trew.

[ink folio 131.]

Edward Waters, gent, sworne and Examined sayeth
that one sundye the twenteth of May 1625
he beinge sent over the water *to desire Capt'*
Capt' martins by the Gouernor and Counsell
to desire Capt' martine to come vnto them

To whom Capt martine replide, and asked this Examina't
w^{t} was the Busenes & This Examina't answered
when you come to the Gouernor and Counsell
you shall know the Busines, Then Capt'
martine said, O I know all the busines well enouffe
that you are aboute. And for y^{t} all your
Proceedings is against my Conseyenc, therfore
I will not come thither. Then this Examina't
said (Capt' Martine I will retourne y^{r} answer
to ye Gouernor & Counsell Whervppon Capt'
Martine answered You may do as you will
for I will not Come at this Tyme, And
further this Examina't sayeth y^{t} Mrs Procter
and Mrs Perye wished him to come over wth
this Examina't, But he answered them (againe
I will not goe over at this tyme.

Mrs Alice Procter sworne and Examd' sayeth y^{t}
Capt' Martine said to her, and her husbande
that he would not come to v^{e} Assemblv(12). for y^{t}

(12) This refers to one of the representative assemblies, or conventions held during the period when a regular legislature was not authorized by the English government. Martin hardly ever appears in any light but as a snarling cur, and always in opposition to colonial liberties.

there was noe order from hee knew the King & Counsell
for it did not allow of it, And therfore he
wold wash his handes from Inocent blud
as Pilot did. she further sayeth that
Capt' martin told her and her husband y^{t} he
had proved Sr: George Yardly periured before
the Gouernor and Counsell, And further she
sayeth y^{t} when Capt' Marten and Capt' Bargraue
were in suite of law in England. Vppon the endinge
thereof (The King said y^{t} yf any should heerafter
Complaine against Sir Thomas Smiths Gouerment
they should be p'claymed Traytors

[ink folio 132.]

Mrs Perry sworne and Examined sayethe that
she hath hurd Capt Martin saye that ye Gouerno^{r}
and Counsell had noe power to calle a generall
Assembly, neyther could they iustifie the doinge
thereof, And y^{t} he for his pte would haue
noe hand in it, she further sayeth y^{t} when

Mr Waters *was* beinge sent from ye Gouernor and
Counsell, entreated Capt' Martin to com over to
them, he replyed, he would not nor would not
haue any hande in their busines, And
further she sayeth y^{t} Capt' Martine saide
y^{t} yf they called the King's wisdom in question,
for anything he knew) the Kinge might
p'clayme them Traytors, And further
he said to this Examt' (that yf he had
not beene:) The Colony and their posteritee
had all been sold for slaues.

And further she sayeth y^{t} in the time of Sr:
Thomas Dales Gouerment An leyden and

Jane Wright and other women were appoynted
to make shirtes for the Colony servants and
had six nelde full of *silke* threed allowed
for making of a shirte, wch yf they
did not p'forme, They had noe allowanc of
Dyott, and because theire threed naught and
would not serve, they tooke owt a ravell
of ye lower p^{te} of ye shirte to make an end
of ye worke, and others y^{t} had thread of
theire owne made it vpp wth that, Soe
the shirts of those wch had raveled owt pte
proued shorter then the rest, for wch fact
the said An leyden and Jane Wright were
whipt, And An leyden beinge then wth
childe (the same night therof miscarried)

(To be Continued.)